

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to colleges and continuing education for chiropractic physicians

The Board of Chiropractic hereby amends Chapter 42, “Colleges for Chiropractic Physicians,” and Chapter 44, “Continuing Education for Chiropractic Physicians,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 147.76, 151.11 and 272C.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 151 and 272C.

Purpose and Summary

These amendments remove outdated or redundant references and reduce the number of continuing education hours required per biennium.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 9, 2018, as **ARC 3774C**. A public hearing was held on May 29, 2018, at 8 a.m. in the Fifth Floor Conference Room 526, Lucas State Office Building, Des Moines, Iowa. Representatives of the Iowa Chiropractic Society were in attendance to support the amendments. No public comments were received. One change from the Notice has been made. A cross reference to the mandatory reporter training requirements was added to subrule 44.3(2).

Adoption of Rule Making

This rule making was adopted by the Board on July 11, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Division of Professional Licensure are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on September 19, 2018.

The following rule-making actions are adopted:

ITEM 1. Rescind and reserve subrule **42.2(2)**.

ITEM 2. Amend subrule 42.5(1) as follows:

42.5(1) The board shall approve a chiropractic physician to be a chiropractic physician preceptor if the chiropractic physician meets the following criteria:

a. The chiropractic physician holds a current Iowa chiropractic license and has continuously held licensure in the United States for the previous five years prior to preceptorship;

b. The chiropractic physician is currently fully credentialed by the sponsoring chiropractic college and approved by the board; and

c. The chiropractic physician has not had any formal disciplinary action or has not, within the past three years, been a party to a malpractice settlement or judgment within the past three years which the board has determined to be disqualifying.

~~The preceptor shall supervise no more than one chiropractic intern or one chiropractic resident for the duration of the preceptorship period.~~

ITEM 3. Amend rule 645—42.6(151) as follows:

645—42.6(151) Termination of preceptorship. A preceptorship ~~shall~~ may terminate upon the occurrence of one of the following events:

42.6(1) Interns. The intern graduates from a board-approved college of chiropractic.

42.6(2) Residents. Twelve months have passed since the resident graduated from a board-approved college of chiropractic.

42.6(3) Formal disciplinary action is taken against the preceptor or the preceptor is a party to a final malpractice judgment or settlement agreement.

ITEM 4. Amend rule 645—44.1(151) as follows:

645—44.1(151) Definitions. For the purpose of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

~~“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules.~~

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period.

“*Board*” means the Iowa board of chiropractic.

“*Clinical case management*” means coursework pertaining to diagnosis, treatment, and appropriate referral or coordination of care.

“*Continuing education*” means planned, organized learning acts meeting the standards set forth in these rules, acquired during licensure, and designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of chiropractic practice, education, or theory development to improve the safety and welfare of the public.

“*Hour of continuing education*” means at least 50 minutes spent by a licensee in actual attendance at and completion of an approved continuing education activity.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Independent study*” means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules and includes a posttest and certificate of completion.

“*License*” means license to practice chiropractic in Iowa.

“Licensee” means any person licensed to practice as a chiropractic physician in the state of Iowa.

ITEM 5. Amend rule 645—44.2(272C) as follows:

645—44.2(272C) Continuing education requirements.

44.2(1) The biennial continuing education compliance period shall extend for a two-year period beginning on July 1 of each even-numbered year and ending on June 30 of each even-numbered year two years later. ~~Each~~ Starting with the 2018-2020 biennium, each person who is licensed to practice as a licensee in this state shall be required to complete a minimum of ~~60~~ 40 hours of continuing education approved by the board.

~~44.2(2) Rescinded IAB 8/3/05, effective 9/7/05.~~

44.2(3) 44.2(2) Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses with the exception of two hours in the content areas of ~~Iowa Administrative Code, 645—~~ Chapters ~~40~~ 41 through ~~46~~ 45 and Iowa Code chapter 151. Continuing education hours acquired anytime from the initial licensing until the second license renewal, with the exception of two hours in the content areas of ~~Iowa Administrative Code, 645—~~ Chapters ~~40~~ 41 through ~~46~~ 45 and Iowa Code chapter 151, may be used. The new licensee will be required to complete a minimum of ~~60~~ 40 hours of continuing education per biennium for each subsequent license renewal.

~~44.2(4)~~ **44.2(3)** Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be in accordance with these rules.

~~44.2(5)~~ **44.2(4)** No hours of continuing education shall be carried over into the next biennium except as stated in ~~44.2(3)~~ **44.2(2)** and ~~44.3(2)~~ “a”(3). A licensee whose license is reactivated during the current renewal compliance period may use continuing education earned during the compliance period for the first renewal following reactivation.

~~44.2(6)~~ **44.2(5)** It is the responsibility of each licensee to finance the cost of continuing education.

ITEM 6. Amend subrule 44.3(2) as follows:

44.3(2) Specific criteria.

a. Continuing education hours of credit shall be obtained by completing:

(1) At least 36 hours of continuing education credit obtained from a program that directly relates to clinical case management of chiropractic patients. ~~Beginning with the July 1, 2014, to June 30, 2016, renewal cycle, at~~ At least 20 of these hours shall be earned by completing a program in which an instructor conducts the class by employing a traditional in-person, classroom-type presentation and the licensee is in attendance in the same room as that instructor. The remaining 16 hours of continuing education credit relating to clinical case management of chiropractic patients may be obtained by independent study, including any ~~on-line~~ online instruction, that complies with conditions specified in ~~645—44.1(151)~~ 44.3(1).

(2) A minimum of two hours per biennium in professional boundaries regarding ethical issues related to professional conduct that may include but are not limited to sexual harassment, sensitivity training and ethics.

(3) ~~Starting with the 2006 renewal cycle, a~~ A minimum of 12 hours per biennium of continuing education in the field of acupuncture if the chiropractic physician is engaged in the practice of acupuncture. ~~Continuing education hours in the field of acupuncture earned between December 31, 2003, and June 30, 2004, up to a maximum of 12 hours may be used to satisfy licensure renewal requirements for either the 2004 or 2006 renewal cycle. The licensee may use the earned continuing education credit hours only once. Credit can not be duplicated for both the 2004 and 2006 compliance periods. Chiropractic physicians not engaged in the active practice of acupuncture may take continuing education hours in the field of acupuncture for continuing education credit.~~

(4) Classes on child abuse and dependent adult abuse that meet the criteria in subrule ~~645—~~subrules ~~41.8(4)~~ and 44.3(1).

(5) Two hours of continuing education credit at the time of the first biennial renewal period and one hour every biennial renewal period after that in the content areas of ~~Iowa Administrative Code, the~~

administrative rules related to chiropractic physicians in Iowa, found at 645—~~Chapters 40 41 through 46 45~~ and the statutory provisions specific to the practice of chiropractic in Iowa, found at Iowa Code chapter 151.

b. Continuing education hours of credit may be obtained by:

(1) Teaching at a Council on Chiropractic Education (CCE)-approved program or board of chiropractic-approved institution. A maximum of 15 hours per biennium may be obtained for each course taught.

(2) Completing electronically transmitted programs/activities or independent study programs/activities that have a certificate of completion ~~that meets criteria in 645—44.3(151,272C)~~.

(3) A licensee who is a presenter of a continuing education program ~~that meets criteria in 645—44.3(151,272C)~~ may receive credit once per biennium for the initial presentation of the program.

(4) Completing ~~continuing education that meets criteria in 645—44.3(151,272C)~~ or a program provided by a CCE-accredited chiropractic college in the United States, the Iowa Chiropractic Society, American Chiropractic Association or International Chiropractors Association.

(5) Completing continuing education courses/programs that are certified by the Providers of Approved Continuing Education (PACE) through the Federation of Chiropractic Licensing Boards (FCLB).

(6) Proctoring at the NBCE examination. Fifteen hours of continuing education hours per NBCE examination event may be claimed up to a maximum of 30 hours of continuing education credit per biennium. The proctoring hours may apply toward the clinical requirement.

c. Continuing education may not be obtained by completing or teaching classes in basic anatomy and physiology or undergraduate level coursework.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/15/18.